

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

This document relates to:  
*Cabell County Commission v.*  
*AmerisourceBergen Drug Corp., et al.*  
Case No. 17-op-45053-DAP

MDL No. 2804

Hon. Dan Aaron Polster

**DEFENDANT CARDINAL HEALTH, INC.'S  
MOTION FOR ORAL ARGUMENT ON MOTION TO DISMISS**

Defendant Cardinal Health, Inc. respectfully requests that the Court hold oral argument on its Motion to Dismiss Plaintiff's Second Amended Complaint on the basis of res judicata. Oral argument will give the parties an opportunity to explain and clarify their positions and respond to any questions or concerns from the Court to help in the Court's decision-making process.

This Court has routinely found oral argument to be appropriate and helpful in ruling on motions to dismiss in MDLs or other complex litigation dealing with issues of great public importance. *See, e.g., In re Polyurethane Foam Antitrust Litg.*, 799 F. Supp. 2d 777, 781 (N.D. Ohio 2011); *In re Travel Agent Comm'n Antitrust Litg.*, MDL No. 1561, Case No. 1:03 CV 30000, 2007 U.S. Dist LEXIS 79918, at \*6 (N.D. Ohio Oct. 29, 2007).

Given the importance and complexity of the issues raised, oral argument will assist the Court in ruling on the motions and facilitate the creation of a clear record in this important litigation.

For the foregoing reasons, and for good cause shown, the Distributor Defendants respectfully request the Court hold oral argument on their Motion to Dismiss.

Dated: July 31, 2018

Respectfully submitted,

/s/ Enu Mainigi

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**CERTIFICATE OF SERVICE**

I, Ashley W. Hardin, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Ashley W. Hardin  
Ashley W. Hardin